

### **REMARKS**

Applicant acknowledges with appreciation the thorough examination of the present application as evidenced by the Official Action. Initially, the Official Action indicates that the listing of references in the specification, such as on page 1, is not a proper information disclosure statement. As such, Applicant submits an Information Disclosure Statement on PTO Form 1449 in accordance with 37 CFR 1.98(b) along with this response and respectfully requests consideration of the Information Disclosure Statement.

The Official Action objects to the specification for informalities. More particularly, the specification is objected to for including references to the claims. As such, the specification has been amended to remove any reference to the claims. Accordingly, Applicant respectfully submits that the objection to the specification is overcome.

Claims 1-10 are pending in the present application. Applicant initially notes that the Official Action indicates that only Claims 1-7 have been examined. However, Applicant submitted a Preliminary Amendment on June 5, 2006, wherein Claims 8-10 were added. As such, Claims 1-10 are pending in the present application and Applicant respectfully requests consideration of the pending claims, namely Claims 1-10, in the next Official Action.

The Official Action objects to Claims 1-7 for informalities. More particularly, the claims are objected for including poor grammar and being difficult to understand. As such, the claims have been amended to read in proper idiomatic English and/or accepted claim language. Accordingly, Applicant respectfully submits that the objection to the claims is overcome.

The Official Action rejects Claims 5-7 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. More particularly, the Official Action alleges that the recitation of "arranged one-sidedly" in Claim 5 is vague, indefinite and not understood. Claim 5 has been amended to recite "arranged on one side." Accordingly, Applicant respectfully submits that the objection to the claims is overcome.

The Official Action rejects Claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,422,666 to Choi (hereinafter the "Choi '666 patent"). The Official Action also rejects Claims 5-7 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2006/0163944 to Tsuru et al. (hereinafter the "Tsuru '944 publication").

Independent Claims 1 and 5 have been amended to further clarify the claimed invention and patentably distinguish over the cited references. Support for these amendments can be found, for example, at paragraphs 0014 and 0025 of the present application. No new matter has been added by way of these amendments. In light of the remarks and amendments presented herein, Applicant respectfully submits that all the pending claims, namely Claims 1-10, are patentably distinct from the cited references, taken individually or in combination. Accordingly, reconsideration and prompt allowance of the present claims is respectfully requested.

The Choi '666 patent discloses an elastic crawler with an arrangement of lugs with respect to core member wings to avoid a crack at the root of a lug, in addition to reducing vibration, and thereby prevent the deterioration of the flexing properties of the elastic crawler. In this regard, the Choi '666 patent discloses a crawler body, a plurality of core members, and a plurality of right and left lugs including small lugs and large lugs. The small lugs have a ground-contacting length L2 and cover one core member whereas the large lugs have a ground-contacting length L1, which is greater than L2, and cover two core members. See Fig. 1. Additionally, one large lug and two small lugs are arranged as a group along the longitudinal direction of the crawler in an alternating pattern. See Fig. 1.

Independent Claim 1 has been amended to recite that the cores are arranged parallel to each other in the longitudinal track direction of the crawler body and that the first and the second lug units are alternately arranged parallel to each other in the longitudinal track direction of the crawler. Although the first lug unit covers two wings and the second lug unit covers one wing, each lug unit has the same size and ground-contacting length. In this regard, the left and right balance of the elastic crawler can be maintained. Moreover, it is possible to realize sufficient flexibility and securely prevent the release of the crawler from the sprocket. Independent Claim

5 has been amended to recite that the cores arranged parallel to each other in the longitudinal track direction of the crawler body and that the lug units that are positioned left and right to the center of the crawler body in the width direction thereof, and arranged parallel to each other in the longitudinal track direction of the crawler body. In this regard, it becomes possible to reduce up and down movement variation of the elastic crawler with respect to the ground surface during circular driving, and reduce the generation of vibration.

In contrast to the structure recited in independent Claims 1 and 5, the Choi '666 patent discloses two types of lugs, small lugs and large lugs, each of a different size and each type having a different ground-contacting length. Moreover, the Choi '666 patent discloses that the two small lugs and one large lug are arranged as a group along the longitudinal direction of the crawler in an alternating pattern. In this arrangement, the smaller lugs may be subject to deteriorating rigidity. Accordingly, for at least these reasons, Applicant respectfully submits that the Choi '666 patent fails to teach or suggest each and every element of an elastic crawler with a structure as recited in the claimed invention. Accordingly, independent Claims 1 and 5 and the claims dependent therefrom, namely Claims 2-4 and 8-9, and Claims 6-7 and 10, respectively, are not anticipated by the Choi '666 patent.

The Tsuru '944 publication discloses a rubber crawler that comprises an endless rubber elastomer, core metals with portions protruding from an inner circumference of the elastomer and a pair of right-hand side and left-hand side wing portions. The Tsuru '944 publication further discloses that the crawler also comprises lugs, all of the same size, that are formed on the outer circumference of the rubber elastomer. The Tsuru '944 publication also discloses that the lugs are arranged on the left and right sides of a center line of the rubber elastomer wherein each lug cover two core metals and wherein the lugs on one side overlap the lugs on the other side, in a zigzag fashion. See, for example, Figs. 9-10. By contrast, independent Claim 5 recites a structure where first lugs cover two cores. Accordingly, for at least the reasons presented herein, Applicant respectfully submits that the Tsuru '944 publication fails to teach or suggest each and every element of an elastic crawler with a structure as recited in independent Claim 5.

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Accordingly, independent Claim 5 and the claims dependent therefrom, namely Claims 6-7 and 10, are not anticipated by the Choi '666 patent.

Therefore, Applicant respectfully submits that independent Claims 1 and 5, and the claims dependent therefrom, namely Claims 2-4 and 8-9, and Claims 6-7 and 10, respectively, are patentably distinct from the Choi '666 patent and the Tsuru '944 publication, taken individually or in combination. Accordingly, Applicant respectfully submits that the rejections of Claims 1-7 are overcome and that Claims 1-10 are allowable.

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**CONCLUSION**

In view of the foregoing, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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